

**U.S. Department of the Interior  
Bureau of Land Management  
Royal Gorge Field Office  
3028 E. Main Street  
Canon City, CO 81212**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-200-2013-0032 CX

CASEFILE/PROJECT NUMBER: COC-76046

Re-AuthORIZES/replaces:

COC-31548 for Chaffee CR 108, CR-194

COC-31866 for Chaffee CR 304, CR-398C

COC-35449 for Chaffee CR272, CR271, CR 261 D, CR301

COC-35466 for Chaffee CR-386

PROJECT NAME: Realty–Re-Authorization of existing Chaffee County roads

PLANNING UNIT: Arkansas River Subregion #1, et al

LEGAL DESCRIPTION:

Chaffee CR 108, CR-194 (replaces COC-31548)

New Mexico Principle Meridian,

T. 49 N., R. 9 E., Sec. 08, E1/2SW1/4;  
Sec. 17, W1/2NW1/4,NW1/4SW1/4.

T. 51 N., R. 8 E., Sec. 22, NE1/4SE1/4,S1/2SE1/4, S1/2SE1/4;  
Sec. 23, S1/2SW1/4,SE1/4SW1/4,  
Sec. 27, N1/2NW1/4, SW1/4NW1/4.

Chaffee CR 304, CR-398C (replaces COC-31866)

Sixth Principle Meridian,

T. 14 S., R. 78 W., Sec. 4, SW1/4SW1/4,  
Sec. 9, SW1/4NE1/4, N1/2NW1/4, SE1/4NW1/4, NW1/4SE1/4,S1/2SE1/4,  
Sec. 10, SW1/4SW1/4,  
Sec. 14, SW1/4,  
Sec. 15, NW1/4, NE1/4SW1/4, N1/2SE1/4,  
Sec. 23, N1/2NW1/4, NE1/4SW1/4.

T. 11 S., R. 80 W., Sec. 35, W1/2NE1/4,W1/2SE1/4.

T. 12 S., R. 80 W., Sec. 02, MS1303, MS133, NW1/4NE1/4,E1/2NW1/4,NE1/4SW1/4.

Chaffee CR272, CR271, CR 261 D, CR301 (replaces COC-35449)  
New Mexico Principle Meridian,

T. 51 N., R. 8 E., Sec. 7, Lots 1-4 and 7, SW1/4NE1/4, NW1/4SE1/4.

T. 15 S. R. 78 W., Sec. 10, NE1/4NW1/4NE1/4.

Chaffee CR-386 (replaces COC-35466)  
Sixth Principle Meridian,

T. 13 S., R. 79 W., Sec. 11, SW1/4NW1/4

APPLICANT: Chaffee County, PO Box 699, Salida, Colorado 81201

DESCRIPTION OF PROPOSED ACTION:

Chaffee County is proposing to renew the following authorization on existing roads, however they did not have the application in 120 days prior to expiration, so these authorizations will be closed and reauthorized as one under the serial number COC- 76046. The roads that will be re-authorized will be:

COC-31548 for Chaffee CR 108, CR-194  
COC-31866 for Chaffee CR 304, CR-398C  
COC-35449 for Chaffee CR272, CR271, CR 261 D, CR301  
COC-35466 for Chaffee CR-386

Chaffee County is fee exempt; their qualifications are filed in COC-33520.

The Roads will be authorized pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). for a term of 30 years and will expire December 31, 2042.

PLAN CONFORMANCE REVIEW:

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: May 13, 1996

Decision Number: C-116

The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11 E (9). None of the following

exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant impacts on public health or safety.	_____	<u>X</u>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	_____	<u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	_____	<u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	<u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	<u>X</u>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	_____	<u>X</u>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	_____	<u>X</u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	_____	<u>X</u>
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	_____	<u>X</u>
10. Have a disproportionately high and adverse effect on low income or minority populations.	_____	<u>X</u>
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.	_____	<u>X</u>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.	_____	<u>X</u>

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 02/09/2016
Jeff Williams	Range Management Spec.	Range, Vegetation,	NA

		Farmland	
John Lamman	Range Management Spec.	Weeds	JL, 02/09/2016
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 2/16/16
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	SSC, 2/16/16
Melissa Smeins	Geologist	Minerals, Paleontology	NA
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 3/8/16
Ty Webb	Fire Management Officer	Air Quality / Fire	TW, 3/7/16
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, Visual, ACEC, W&S Rivers	KL, 1/20/16
John Nahomenuk	River Manager	Recreation, Wilderness, Visual, ACEC, W&S Rivers	N/A
Jeremiah Moore	Forester	Forestry	JLM 3/10/2016
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	
Monica Weimer	Archaeologist	Cultural, Native American	MMW, 2/1/16
Michael Troyer	Archaeologist	Cultural, Native American	NA
Jeff Brown	Realty Specialist	Realty	JGB 3/11/2013
Dave Parker	Cadastral Surveyor	Cadastral Surveyor	DP, 2/11/16
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	NA

## REMARKS:

**Cultural Resources:** Two historic properties are located within the area of potential effect, however, pursuant to Section XVIII, Attachment B (3), no additional cultural resources inventory is required for the present undertaking, because no ground disturbance is involved. The following stipulation applies to all cases cited in this document except COC-31866: "Prior to any road maintenance or proposed construction, the proponent must contact the BLM archaeologist. If the road has not been subjected to a cultural resources inventory, the work must be completed in order to determine whether any historic properties will be affected. If a historic property is present, and depending on the nature of the proposed alterations to the road, BLM might require an archaeological monitor to be present during construction. If additional mitigation is required, a treatment plan must be prepared, the treatment conducted, and documentation prepared before BLM issues a notice to proceed. The proponent will be required to hire an archaeological contractor that holds a BLM permit in good standing to perform all aspects of the archaeological work."

For COC-31866, which includes 5CF555 and 5CF1750, the following stipulation applies: "The holder will hire an archaeological contractor that holds a BLM permit in good standing to perform monitoring during any and all ground disturbing activities. If subsurface cultural materials are discovered during the work, the archaeological contractor will have the authority to stop the work and investigate the discovery. If the archaeological contractor determines that subsurface deposits with good integrity have been disturbed, the holder will suspend all operations in the immediate area of the discovery until written authorization to proceed is issued by the Authorized Officer. The holder will be responsible for all costs associated with any additional identification, evaluation and resolution activities, pursuant to NHPA, that result from the work associated with the undertaking."

**Native American Religious Concerns:** Because cultural resources inventory has not been comprehensively performed for this undertaking, it is not known with certainty whether any traditional or sacred cultural properties are present on the relevant acreage. However, an inventory will be conducted before initiation of any undertakings that might affect sites of concern to Native Americans.

**Threatened and Endangered Species:** Road authorizations proposed are existing, maintained county roads. No new impacts to special status species will occur as a result of the authorization.

**Migratory Birds:** Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a "take" of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

**Cadastral Survey:** Every effort should be made to protect all PLSS surveys in these areas. Cadastral Survey staff is available to provide plats, field notes and coordinate locations of these survey monuments and their accessories.

COMPLIANCE:

- 1) Water control structures may be required at any time as determined necessary by the authorized officer of the BLM, including, but not limited to water turnouts, settlement areas, culverts, rip-rapping, and surfacing materials.
- 2) Seeding of native species may be required at any time as determined necessary by the authorized officer in areas disturbed by construction or maintenance.
- 3) Authorized officer at any time may require a road to be brought up to the gold book standard for roads, or better as is necessary for health, safety and welfare of the public or environment.
- 4) There is no new construction being authorized with the re-authorization of these roads, any new construction will be applied for on a separate application as an amendment and may require archaeology survey.
- 5) The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).

COMPLIANCE PLAN (optional): Routine compliance will be conducted by the Royal Gorge Field Office Realty Staff.

NAME OF PREPARER: Jeff Brown, Realty Specialist

SUPERVISORY REVIEW: Jay M. Raiford

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 3/17/16

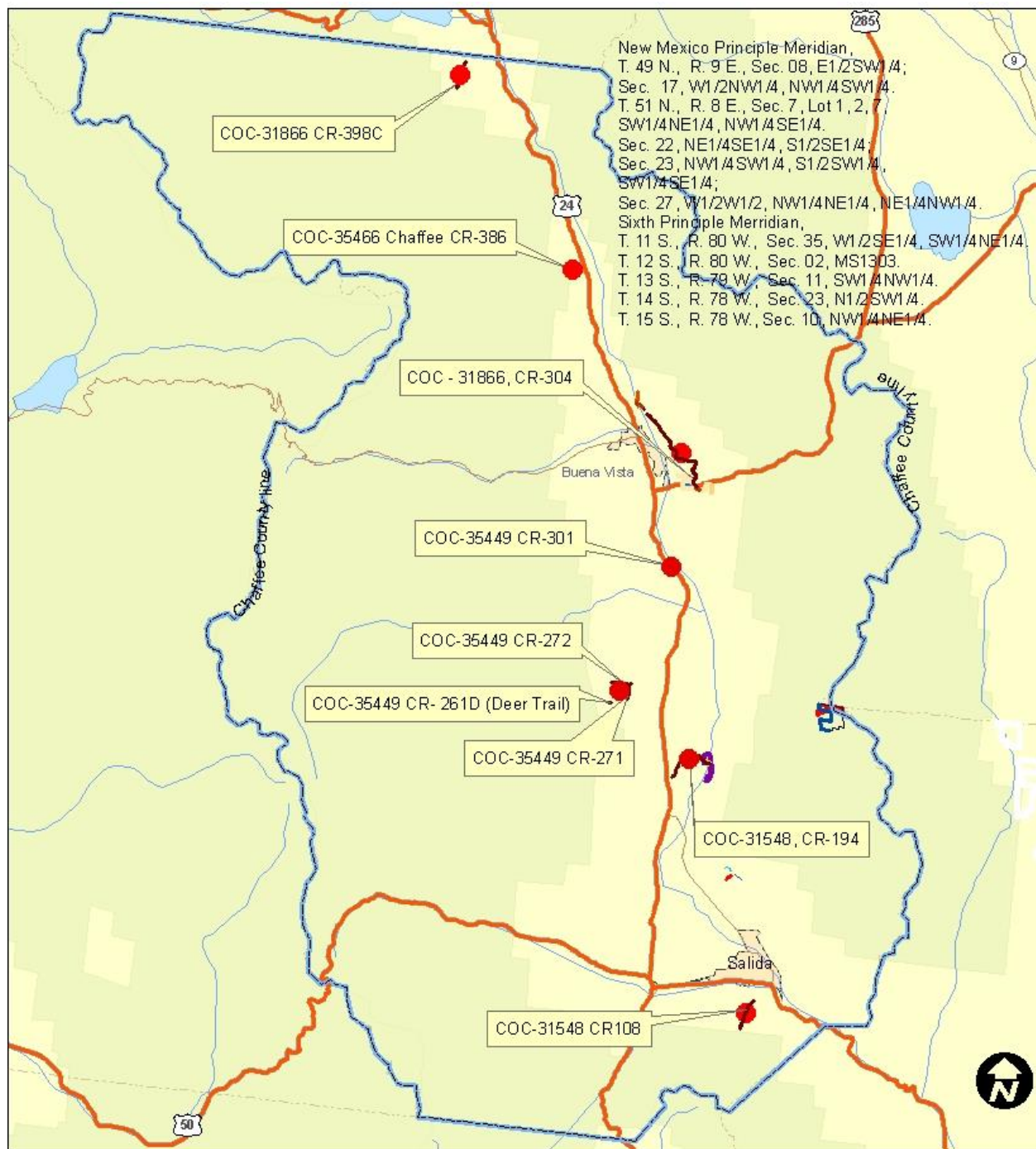
DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

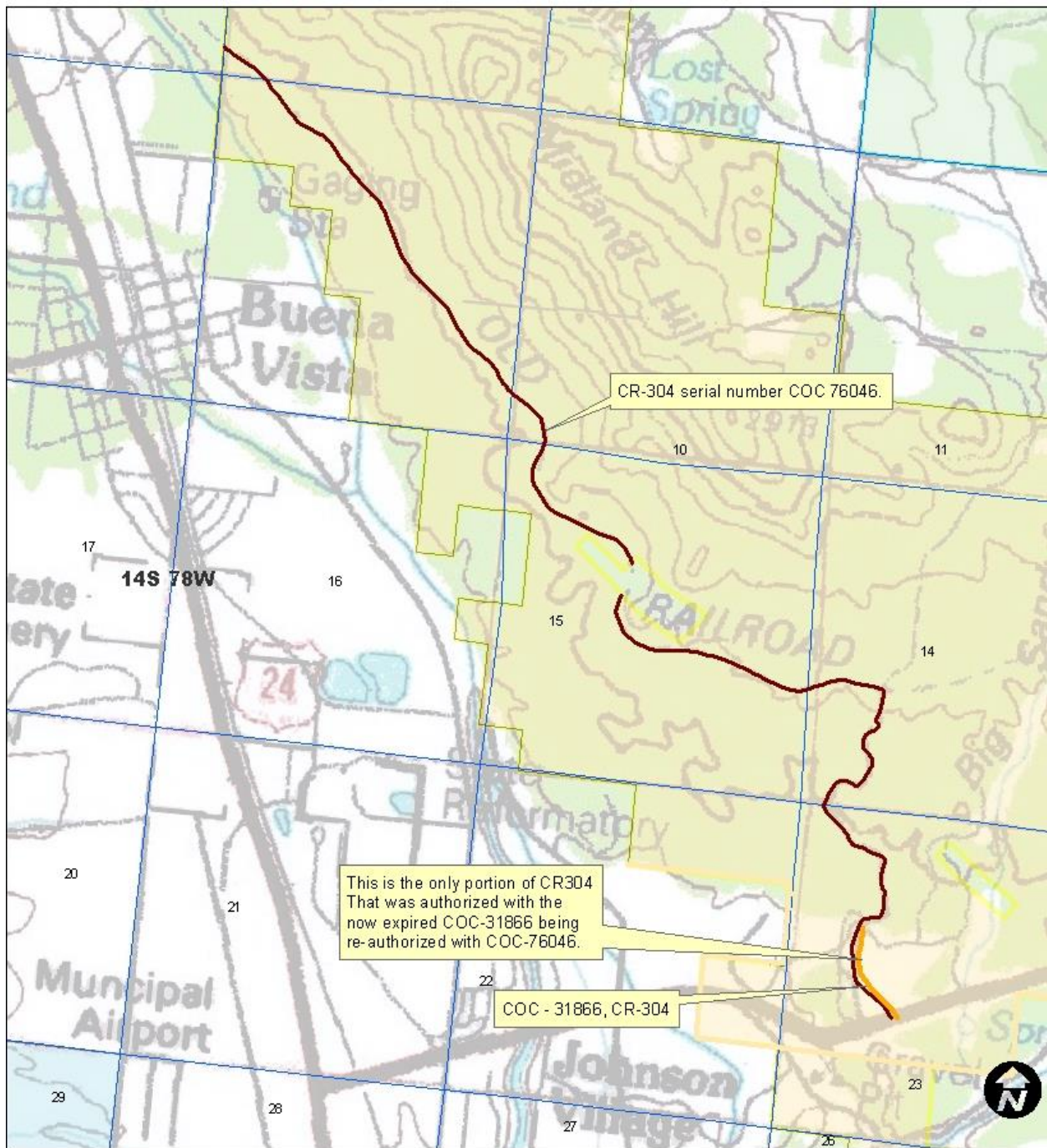
/s/ Keith E. Berger  
Keith E. Berger, Field Manager

DATE SIGNED: 3/17/16



**CAUTION:**  
 Land ownership data is derived from less accurate data than the 1:24000 scale base  
 map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and  
 land ownership lines may have plotting errors due to source data.





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Miles

March 25, 2013

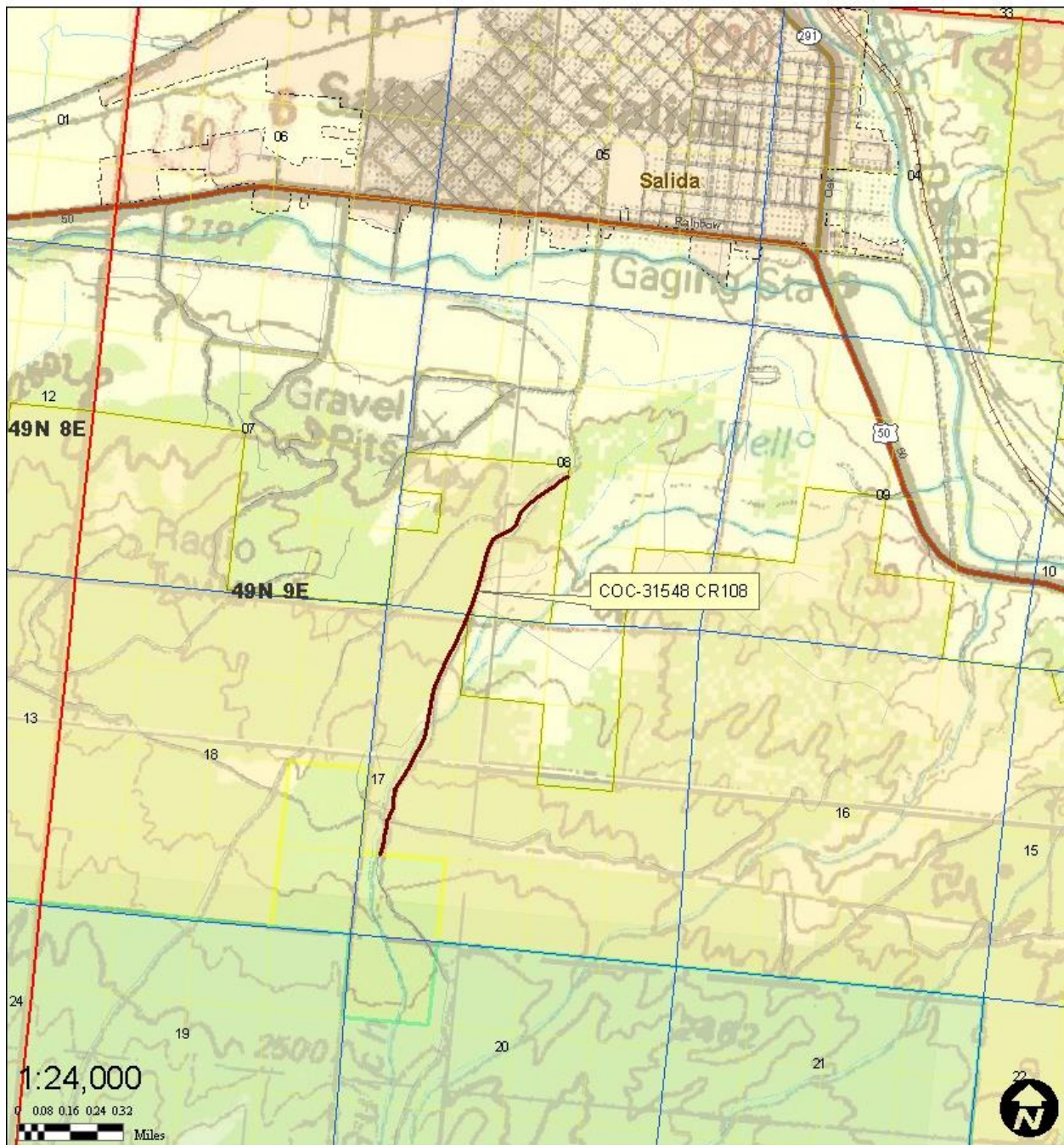


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DOI-BLM-CO-200-2013-0032 CX  
COC-31866 (expired) for Chaffee CR 304, CR-398C  
COC-76046 will re-authorize a small portion of CR 304  
and amend to include the entire length of the road.  
located in the Sixth Principle Meridian,  
T. 14 S., R. 78 W., Sec. 23, N1/2SW1/4.  
304 also crosses BLM in section 4,5,9,10,14, and 15.  
COC for CR-398 is not on this map and is located in:  
T. 11 S., R. 80 W., Sec. 35, W1/2SE1/4, SW1/4NE1/4.  
T. 12 S., R. 80 W., Sec. 02, MS1303.

Will replace this map after hearing from Chaffee County how to proceed with County Road 304.



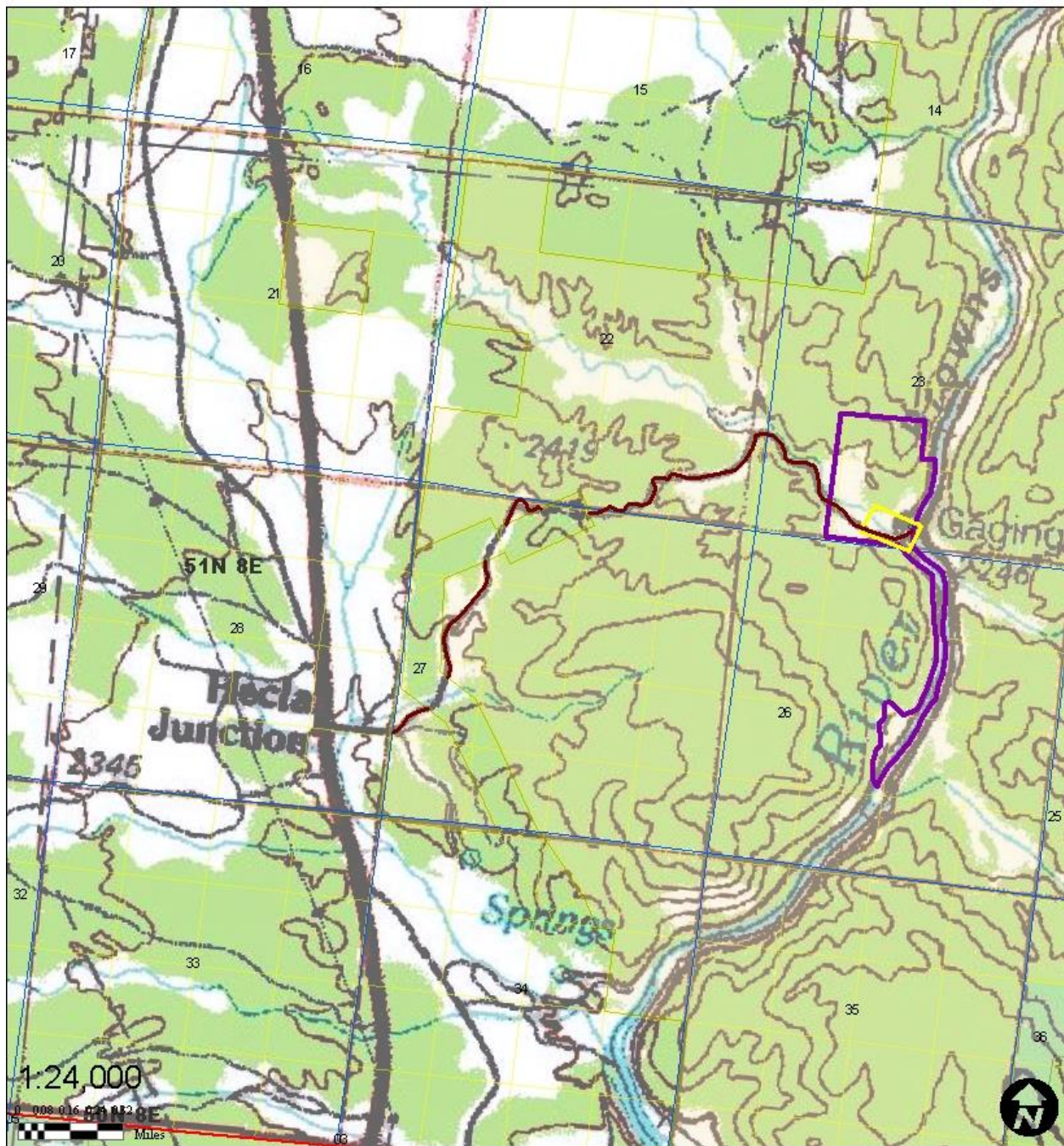


February 7, 2013

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**COC-31548, Chaffee County Colorado CR-108**  
**New Mexico Principle Meridian,**  
**T. 49 N., R. 9 E., Sec. 08, E1/2SW1/4;**  
**Sec. 17, W1/2NW1/4, NW1/4SW1/4.**  
**DOI-BLM-CO-200-2013-0032 CX**



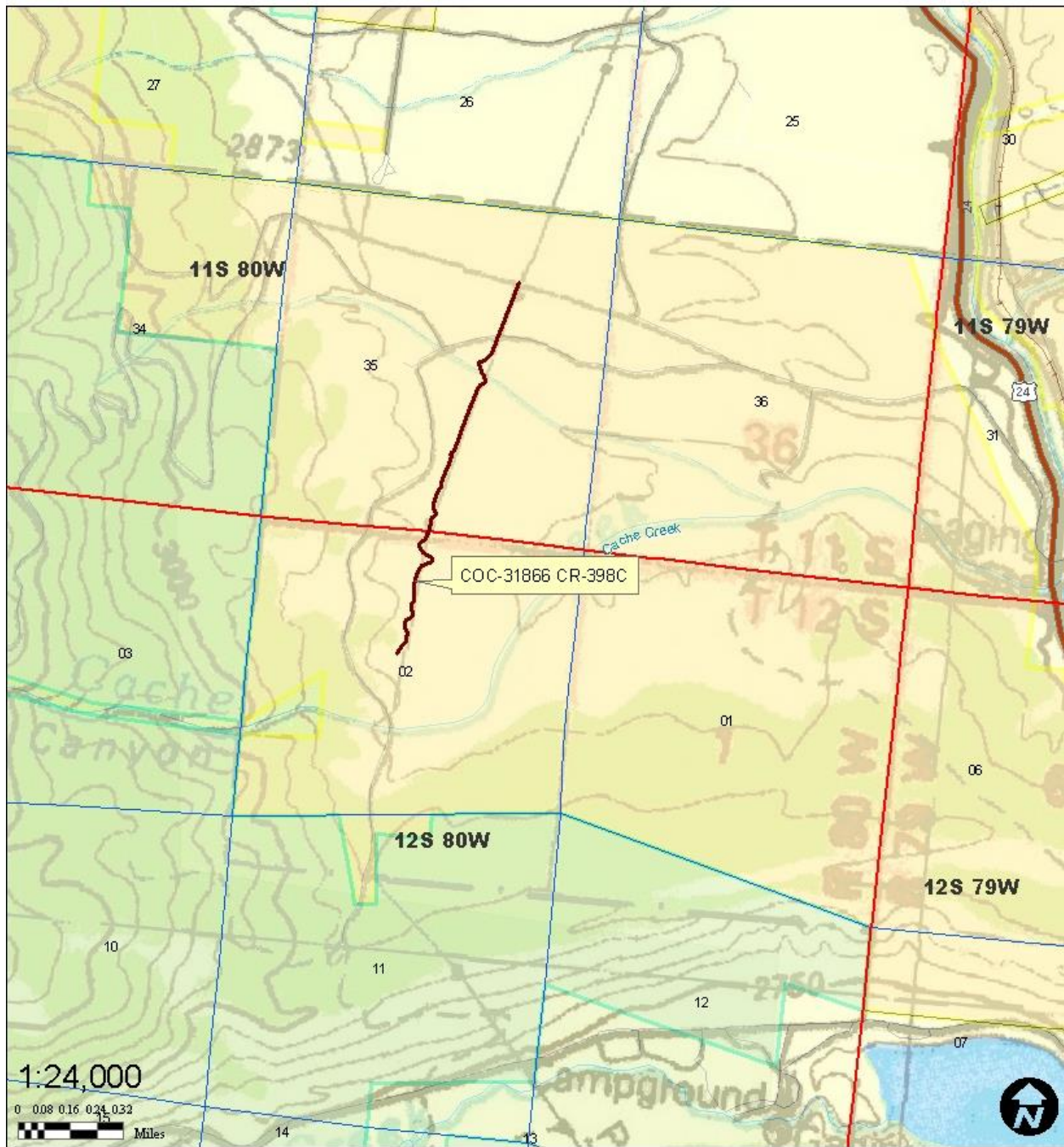


February 7, 2013

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**COC-31548, Chaffee County Colorado CR-194**  
**T. 51 N., R. 8 E., Sec. 22, NE1/4SE1/4, S1/2SE1/4;**  
**Sec. 23, NW1/4SW1/4, S1/2SW1/4, SW1/4SE1/4;**  
**Sec. 27, W1/2W1/2, NW1/4NE1/4, NE1/4NW1/4.**  
**DOI-BLM-CO-200-2013-0032 CX**





February 7, 2013

**COC-31866 Chaffee County Colorado CR-398C**

**Sixth Principle Meridian**

**T. 11 S., R. 80 W., Sec. 35, W1/2SE1/4, SW1/4NE1/4.**

**T. 12 S., R. 80 W., Sec. 02, MS1303.**

**DOI-BLM-CO-200-2013-0032 CX**

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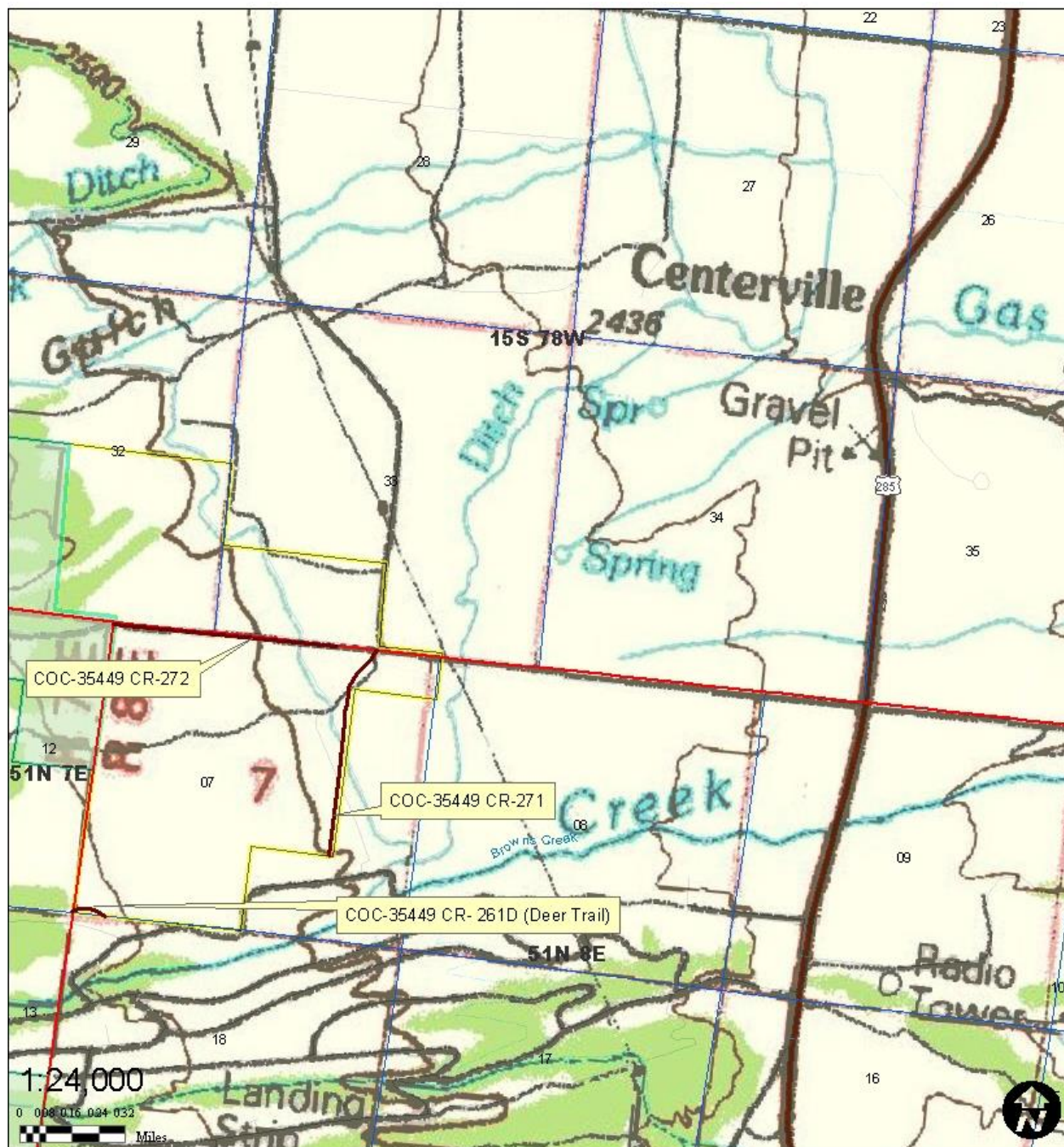


February 7, 2013

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**COC-35449, Chaffee County Colorado, CR-301**  
**Sixth Principle Meridian,**  
**T. 15 S., R. 78 W., Sec. 10, NW1/4NE1/4.**  
**DOI-BLM-CO-200-2013-0032 CX**

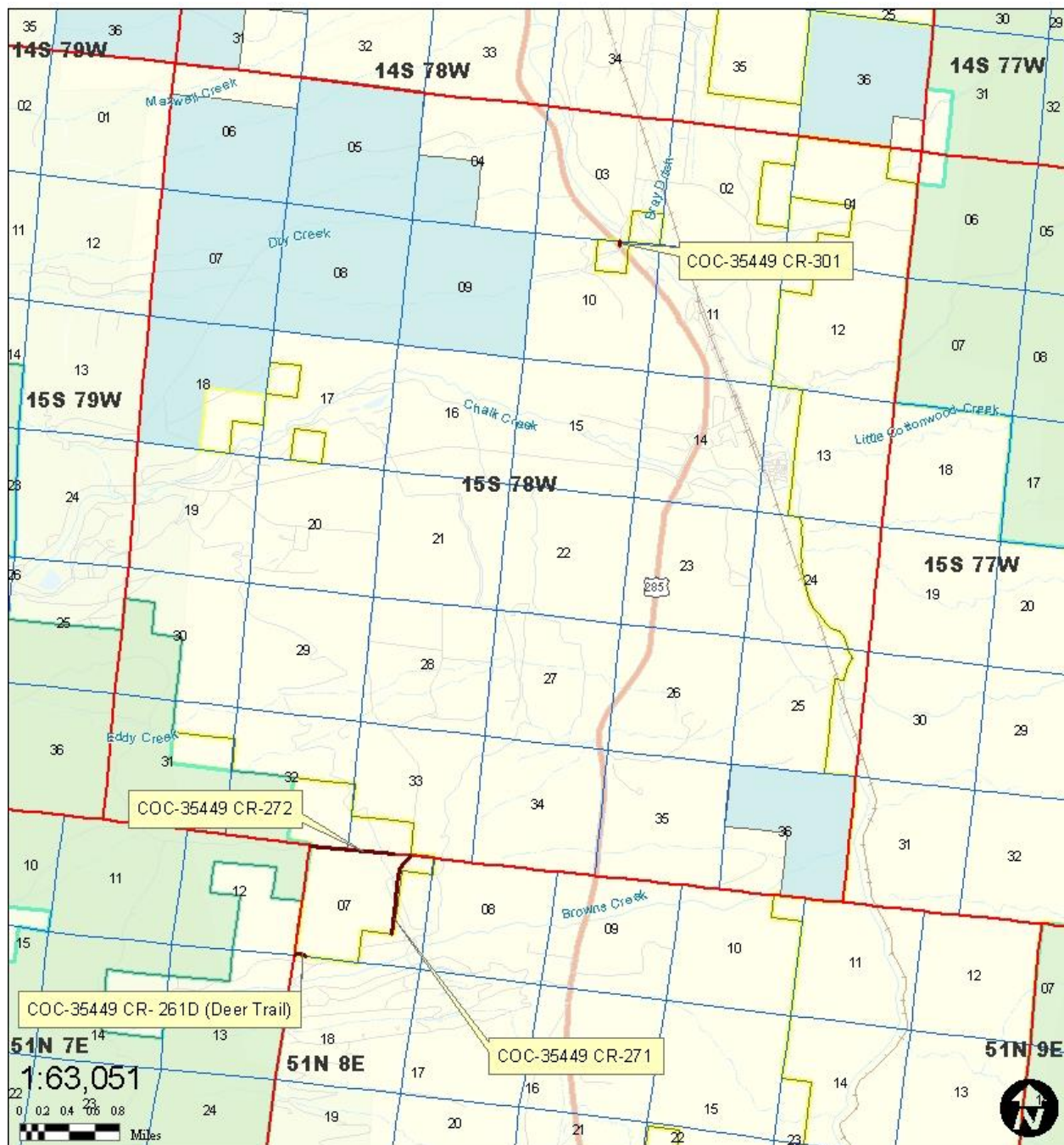




February 7, 2013

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**COC-35449, Chaffee County Colorado  
CR-271, CR-272, CR261D (Deer Trail)  
New Mexico Principle Meridian,  
T. 51 N., R. 8 E., Sec. 7, Lot 1, 2, 7,  
SW1/4NE1/4, NW1/4SE1/4.  
DOI-BLM-CO-200-2013-0032 CX**

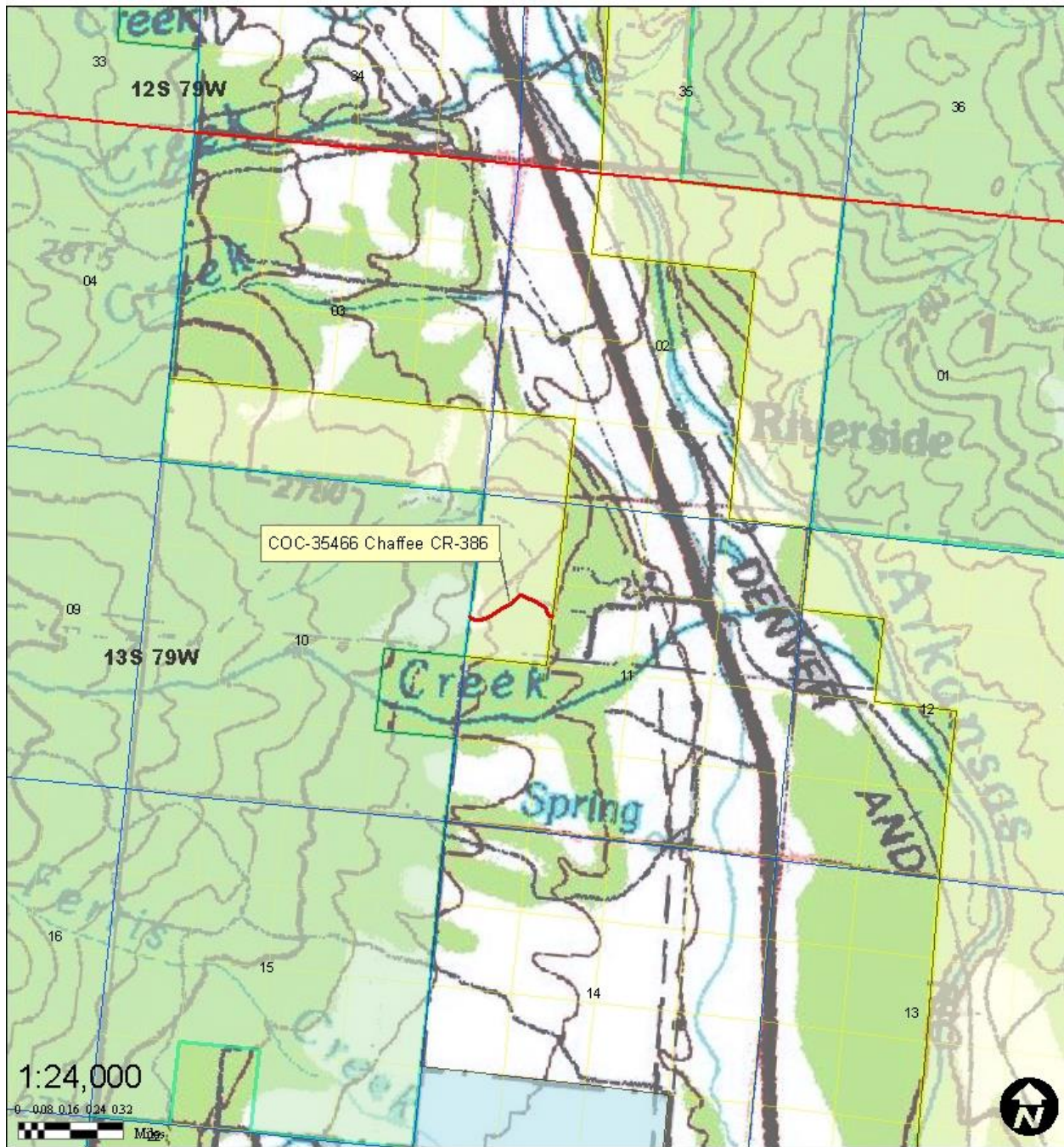


February 7, 2013

**COC-35449, Chaffee County Colorado  
Overview CR-271, CR-272, CR261D, CR-301  
DOI-BLM-CO-200-2013-0032 CX**

**CAUTION:**  
Land ownership data is derived from less accurate data than the 1:250,000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and boundary lines may have positional errors due to source data.





February 7, 2013

**COC-35466, Chaffee County Colorado, CR-386**  
**Sixth Principle Meridian,**  
**T. 13 S., R. 79 W., Sec. 11, SW1/4NW1/4.**  
**DOI-BLM-CO-200-2013-0032 CX**

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